

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BOARD OF TRUSTEES, LABORERS’ DISTRICT COUNCIL CONSTRUCTION INDUSTRY PENSION PLAN	: : : : : : : : :	CIVIL ACTION NO. 21-1965
v.	:	NO. 21-1965
ANTHONY BOWMAN, <i>et al.</i>	:	

ORDER

AND NOW, this 19th day of October 2021, upon considering Plaintiff Plan’s Motion for discharge and for reimbursement of reasonable fees and costs (ECF Doc. No. 22), Defendant Anthony Bowman’s Motion for summary judgment (ECF Doc. No. 25), following oral argument where all parties agreed there are no genuine issues of material fact but Defendants opposed reimbursing fees, Defendant Alisa Bowman opposed her former husband Anthony Bowman’s Motion for summary judgment, having considered the entire record including documents produced in response to our October 14, 2021 Order (ECF Doc. No. 27), consistent with Federal Rule 56 allowing us to enter summary judgment for the non-moving party if warranted as a matter of law, and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Plaintiff Plan’s Motion for discharge and for fees (ECF Doc. No. 22) is **GRANTED in part** to discharge the Plaintiff Plan from further responsibility other than compliance with this Order, but **DENIED** in the exercise of our discretion as to the reimbursement of fees finding the Defendants did not act in a obstructive or frivolous manner given Mrs. Bowman proceeds pro se and neither of the Bowmans’ domestic relations attorneys appeared in this case leaving several questions of law unknown to these laypersons arising from the Bowmans’ divorce over eighteen years ago;

2. Plaintiff Plan is **DISMISSED**;

3. Defendant Anthony Bowman's Motion for summary judgment (ECF Doc. No. 25) seeking an Order directing payment of all pension payments from the Plaintiff Fund to him is **DENIED**;


4. We find no genuine issues of material fact precluding the entry of judgment in favor of Defendant Alisa Bowman and against Defendant Anthony Bowman as to claims for payment of the portion of the pension funds deposited by the Plaintiff and presently in escrow with our Clerk of Court and moving forward with all further obligations of payment;

5. We enter **JUDGMENT** in favor of Defendant Alisa Bowman and against Defendant Anthony Bowman requiring:

a. The Clerk of Court shall release, on or after **October 25, 2021**, all funds presently held in the Court's Registry deposited by the Plaintiff and make them payable to Alisa Bowman mailed to Clerk U.S.D.C. Attn: Financial Manager, 601 Market Street, Philadelphia, PA 19106 to be paid to her upon her personal appearance in the Clerk of Court's Office in the United States Courthouse with appropriate personal identification on or after **November 1, 2021**;

b. Plaintiff Plan shall hereafter pay the same percentage of funds calculated to be due and owing to Alisa Bowman beginning with the next monthly payment and thereafter until exhausting the Fund's obligations under the Plaintiff Plan; and,

6. The Clerk of Court shall **close** this case.


KEARNEY, J.